

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DONNA J. THOMAS, ADMINISTRATRIX OF)
THE ESTATE OF ANDRE THOMAS,)
DECEASED, ON BEHALF OF THE ESTATE)
OF ANDRE THOMAS,)

Plaintiff)

V.)

BOROUGH OF SWISSVALE, DEBRA)
LYNN INDOVINA-AKERLY, JUSTIN)
LEE KEENAN and GARY DICKSON,)

Defendants)

Civil Action No. 09-996

Judge Nora Barry Fischer

JURY TRIAL DEMANDED

ORDER

AND NOW, to-wit, this _____ day of _____, 2011, upon consideration of Plaintiff's Motion seeking to preclude certain expert testimony and evidence concerning the cause of death of Andre Thomas, and a hearing having been held in open court, it is hereby ordered and decreed that Plaintiff's Motion be **GRANTED**. Pursuant to this Order, Deborah Mash, Ph.D. shall not be permitted to testify as an expert witness in the above captioned case. It is further ordered that Defendants are precluded from offering evidence at trial to the effect that Mr. Thomas' death was caused by agitated delirium, excited delirium or drug-induced delirium.

U.S. District Court